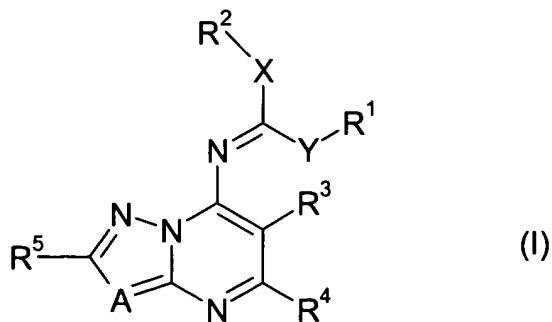


**AMENDMENTS TO THE CLAIMS**

1. (Original) An azolopyrimidine compound of the formula I



in which

A is N or C-R<sup>6</sup>;

X, Y independently of one another are a chemical bond or oxygen, sulfur or a group N-R<sup>7</sup>;

R<sup>1</sup>, R<sup>2</sup> independently of one another are C<sub>1</sub>-C<sub>10</sub>-alkyl, C<sub>2</sub>-C<sub>10</sub>-alkenyl, C<sub>4</sub>-C<sub>10</sub>-alkadienyl, C<sub>2</sub>-C<sub>10</sub>-alkynyl, C<sub>3</sub>-C<sub>8</sub>-cycloalkyl, C<sub>5</sub>-C<sub>8</sub>-cycloalkenyl, C<sub>5</sub>-C<sub>10</sub>-bicycloalkyl, phenyl, phenyl-C<sub>1</sub>-C<sub>4</sub>-alkyl, naphthyl, naphthyl-C<sub>1</sub>-C<sub>4</sub>-alkyl, 5- or 6-membered saturated, partially unsaturated or aromatic heterocyclyl or heterocyclyl-C<sub>1</sub>-C<sub>4</sub>-alkyl which may in each case have 1, 2 or 3 heteroatoms selected from the group consisting of N, O and S as ring members, where some or all of the radicals mentioned as R<sup>1</sup>, R<sup>2</sup> may be halogenated or may have 1, 2, 3 or 4 radicals R<sup>8</sup>, where

Y-R<sup>1</sup> and X-R<sup>2</sup> together with the carbon atom, to which they are attached, may also form a 5-, 6- or 7-membered saturated or unsaturated carbo- or heterocycle, where the latter may have 1, 2, 3 or 4 heteroatoms selected from the group consisting of O, S and N as ring members, where the carbo- and the heterocycle may be partially or fully halogenated or have 1, 2, 3 or 4 of the radicals R<sup>7</sup> and/or R<sup>8</sup>; where

Y-R<sup>1</sup> and X-R<sup>2</sup> independently of one another may also be hydrogen, CN, NO<sub>2</sub> or halogen and where one of the radicals Y-R<sup>1</sup> and X-R<sup>2</sup> may also be OH, SH or NH<sub>2</sub>;

R<sup>3</sup> is C<sub>1</sub>-C<sub>10</sub>-alkyl, C<sub>2</sub>-C<sub>10</sub>-alkenyl, C<sub>4</sub>-C<sub>10</sub>-alkadienyl, C<sub>2</sub>-C<sub>10</sub>-alkynyl, C<sub>3</sub>-C<sub>8</sub>-cycloalkyl, C<sub>5</sub>-C<sub>8</sub>-cycloalkenyl, C<sub>5</sub>-C<sub>10</sub>-bicycloalkyl, phenyl, phenyl-C<sub>1</sub>-C<sub>4</sub>-alkyl, naphthyl, a 5- or 6-membered saturated, partially unsaturated or aromatic heterocycle which may have 1, 2 or 3 heteroatoms selected from the group

consisting of N, O and S as ring members,  
where the radicals mentioned as  $R^3$  may be partially or fully halogenated or  
may have 1, 2, 3 or 4 radicals  $R^9$ ;

- $R^4$  is halogen, cyano,  $C_1$ - $C_6$ -alkyl,  $C_1$ - $C_6$ -haloalkyl,  $C_2$ - $C_6$ -alkenyl,  $C_2$ - $C_6$ -alkynyl,  $C_3$ - $C_8$ -cycloalkyl,  $C_5$ - $C_8$ -cycloalkenyl,  $OR^{10}$ ,  $SR^{10}$ ,  $NR^{11}R^{12}$ ,  $CH_2NR^{11}R^{12}$  or  $C(W)R^{13}$ ;
- $R^5, R^6$  independently of one another are hydrogen, CN,  $NO_2$ ,  $NH_2$ ,  $CH_2NH_2$ , halogen,  $C(W)R^{13}$ ,  $C(=N-OR^{15})R^{14}$ ,  $NHC(W)R^{16}$ ,  $C_1$ - $C_6$ -haloalkyl,  $C_1$ - $C_4$ -alkyl or  $C_2$ - $C_4$ -alkenyl;
- $R^7$  is hydrogen,  $C_1$ - $C_6$ -alkyl,  $C_1$ - $C_6$ -alkoxy,  $C_1$ - $C_6$ -haloalkyl,  $C_1$ - $C_6$ -haloalkoxy,  $C_2$ - $C_6$ -alkenyl,  $C_2$ - $C_6$ -alkenyloxy, CN or  $C(W)R^{17}$ ;
- $R^8$  is selected from the group consisting of halogen, cyano, nitro, OH, SH,  $NR^{18}R^{19}$ ,  $C_1$ - $C_6$ -alkyl,  $C_3$ - $C_8$ -cycloalkyl,  $C_1$ - $C_6$ -alkoxy, hydroxy- $C_1$ - $C_6$ -alkyl, hydroxy- $C_1$ - $C_6$ -alkoxy,  $C_1$ - $C_6$ -alkoxy- $C_1$ - $C_6$ -alkyl,  $C_1$ - $C_6$ -alkoxy- $C_1$ - $C_6$ -alkoxy,  $C_1$ - $C_6$ -haloalkyl,  $C_1$ - $C_6$ -haloalkoxy,  $C_1$ - $C_6$ -alkylthio,  $C_2$ - $C_6$ -alkenyl,  $C_2$ - $C_6$ -alkenyloxy,  $C_2$ - $C_6$ -alkynyl,  $C_2$ - $C_6$ -alkynyloxy,  $C_1$ - $C_6$ -alkylamino,  $C(W)R^{13}$ ,  $C(=N-OR^{15})R^{14}$ ,  $NHC(W)R^{16}$ , tris- $C_1$ - $C_6$ -alkylsilyl and phenyl which for its part may have 1, 2 or 3 radicals selected from the group consisting of cyano, nitro, halogen, OH,  $C_1$ - $C_6$ -alkyl,  $C_1$ - $C_6$ -alkoxy,  $C_1$ - $C_6$ -haloalkyl,  $C_1$ - $C_6$ -haloalkoxy and  $C_1$ - $C_6$ -alkylthio;
- $R^9$  is halogen, cyano,  $NH_2$ ,  $NO_2$ ,  $C_1$ - $C_6$ -alkyl,  $C_3$ - $C_8$ -cycloalkyl,  $C_1$ - $C_6$ -alkoxy,  $C_1$ - $C_6$ -haloalkyl,  $C_1$ - $C_6$ -haloalkoxy,  $C_2$ - $C_6$ -alkenyl,  $C_2$ - $C_6$ -alkenyloxy,  $C(W)R^{13}$ ,  $C(=N-OR^{15})R^{14}$  or  $NHC(W)R^{16}$ ;
- $R^{10}$  is hydrogen,  $C_1$ - $C_6$ -alkyl,  $C_1$ - $C_6$ -haloalkyl,  $C_2$ - $C_6$ -alkenyl or  $C(W)R^{13}$ ;
- $R^{11}, R^{12}$  independently of one another are hydrogen,  $C_1$ - $C_6$ -alkyl,  $C_2$ - $C_6$ -alkenyl,  $C_4$ - $C_6$ -alkadienyl,  $C_2$ - $C_6$ -alkynyl,  $C_3$ - $C_8$ -cycloalkyl,  $C_5$ - $C_8$ -cycloalkenyl, where the radicals mentioned as  $R^{11}$ ,  $R^{12}$  may be partially or fully halogenated or have 1, 2, 3 or 4 radicals  $R^8$ , where  $R^{11}$  may also be a group  $C(W)R^{13}$  and where
- $R^{11}, R^{12}$  together with the nitrogen atom, to which they are attached, may also form a 5-, 6- or 7-membered saturated or unsaturated heterocycle which may additionally have 1, 2 or 3 further heteroatoms selected from the group consisting of O, S and N as ring members, where the heterocycle may be partially or fully halogenated and/or may have 1, 2, 3 or 4 of the radicals  $R^8$ ;
- $R^{13}$  is hydrogen, OH,  $C_1$ - $C_6$ -alkyl,  $C_1$ - $C_6$ -alkoxy,  $C_1$ - $C_6$ -haloalkyl,  $C_1$ - $C_6$ -haloalkoxy,  $C_2$ - $C_6$ -alkenyl or  $NR^{18}R^{19}$ ;

- $R^{14}$ ,  $R^{15}$  independently of one another are hydrogen or  $C_1$ - $C_6$ -alkyl;
- $R^{16}$ ,  $R^{17}$  independently of one another are hydrogen,  $C_1$ - $C_6$ -alkyl,  $C_1$ - $C_6$ -alkoxy,  $NH_2$ ,  $C_1$ - $C_6$ -alkylamino or di- $C_1$ - $C_6$ -alkylamino;
- $R^{18}$ ,  $R^{19}$  independently of one another have the meanings mentioned for  $R^{11}$  and  $R^{12}$ ; and
- W is oxygen or sulfur;

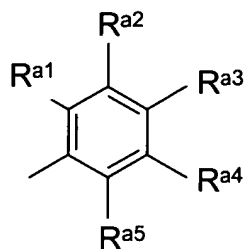
the tautomers of the compounds I and the agriculturally acceptable salts of the compounds I and their tautomers.

2. (Original) The compound of the formula I according to claim 1 in which at least one of the variables X or Y is a chemical bond.
3. (Original) The compound of the formula I according to claim 2 in which one of the groups  $Y-R^1$  or  $X-R^2$  is hydrogen or  $C_1$ - $C_4$ -alkyl.
4. (Currently amended) The compound of the formula I according to ~~any of the preceding claims~~ claim 1 in which both variables X and Y are a chemical bond.
5. (Original) The compound of the formula I according to claim 4 in which  $R^1$  and  $R^2$  independently of one another are selected from the group consisting of hydrogen,  $C_1$ - $C_{10}$ -alkyl,  $C_1$ - $C_{10}$ -haloalkyl,  $C_3$ - $C_{10}$ -alkenyl,  $C_3$ - $C_{10}$ -haloalkenyl,  $C_3$ - $C_8$ -cycloalkyl,  $C_5$ - $C_8$ -cycloalkenyl,  $C_3$ - $C_8$ -cycloalkyl- $C_1$ - $C_{10}$ -alkyl,  $C_3$ - $C_8$ -cycloalkyl- $C_2$ - $C_{10}$ -alkenyl, phenyl and benzyl, where the 6 lastmentioned radicals may also carry 1, 2, 3 or 4 substituents selected from the group consisting of halogen,  $C_1$ - $C_4$ -alkyl,  $C_1$ - $C_4$ -haloalkyl and  $C_1$ - $C_4$ -alkoxy.
6. (Original) The compound of the formula I according to claim 4 in which one of the groups  $R^1$  or  $R^2$  is halogen.
7. (Original) The compound of the formula I according to claim 6 in which the remaining group  $R^1$  or  $R^2$  is hydrogen,  $C_1$ - $C_{10}$ -alkyl,  $C_1$ - $C_{10}$ -haloalkyl,  $C_3$ - $C_{10}$ -alkenyl,  $C_3$ - $C_{10}$ -haloalkenyl,  $C_3$ - $C_8$ -cycloalkyl,  $C_5$ - $C_8$ -cycloalkenyl,  $C_3$ - $C_8$ -cycloalkyl- $C_1$ - $C_{10}$ -alkyl,  $C_3$ - $C_8$ -cycloalkyl- $C_2$ - $C_{10}$ -alkenyl, phenyl or benzyl, where the 6 lastmentioned radicals may also carry 1, 2, 3 or 4 substituents selected from the group consisting of halogen,  $C_1$ - $C_4$ -alkyl,  $C_1$ - $C_4$ -haloalkyl and  $C_1$ - $C_4$ -alkoxy.
8. (Currently amended) The compound of the formula I according to ~~any of claims 1 to 3~~ claim 1 in which the group  $Y-R^1$  is a group  $(NR^7)-R^1$ , in which  $R^7$  is as defined above and  $R^1$  is  $C_1$ - $C_{10}$ -alkyl,  $C_2$ - $C_{10}$ -alkenyl,  $C_4$ - $C_{10}$ -alkadienyl,  $C_2$ - $C_{10}$ -alkynyl,  $C_3$ - $C_8$ -cycloalkyl,  $C_5$ - $C_8$ -cycloalkenyl,  $C_5$ - $C_{10}$ -bicycloalkyl, phenyl, phenyl- $C_1$ - $C_4$ -alkyl, naphthyl, naphthyl-

C<sub>1</sub>-C<sub>4</sub>-alkyl and where the radicals mentioned as R<sup>1</sup> may be partially or fully halogenated and/or may have 1, 2, 3 or 4 radicals R<sup>8</sup>, or

R<sup>1</sup> and R<sup>2</sup> together with the nitrogen atom to which they are attached form a 5- or 6-membered saturated, partially unsaturated or aromatic N-heterocycle which may have one or two further heteroatoms selected from the group consisting of O, S and N as ring member and/or may have 1, 2, 3 or 4 radicals R<sup>8</sup>.

9. (Original) The compound of the formula I according to claim 8 in which X is a chemical bond and R<sup>2</sup> is hydrogen or C<sub>1</sub>-C<sub>4</sub>-alkyl.
10. (Currently amended) The compound of the formula I according to claim 8 or 9 in which the group (NR<sup>7</sup>)R<sup>1</sup> is C<sub>1</sub>-C<sub>6</sub>-alkylamino, di-C<sub>1</sub>-C<sub>6</sub>-alkylamino or a 5- or 6-membered saturated heterocyclyl which is attached via nitrogen, which optionally has a further heteroatom selected from the group consisting of N, O and S as ring atom and which optionally carries, 1, 2, 3 or 4 substituents R<sup>8</sup> selected from the group consisting of halogen and C<sub>1</sub>-C<sub>4</sub>-alkyl.
11. (Currently amended) The compound of the formula I according to ~~any of the preceding claims~~ claim 1 in which R<sup>3</sup> is a phenyl ring which has 1, 2, 3 or 4 radicals R<sup>9</sup>.
12. (Original) The compound of the formula I according to claim 11 in which R<sup>3</sup> is a group of the formula

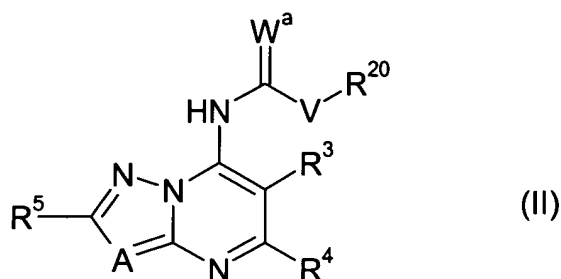


in which

- R<sup>a1</sup> is fluorine, chlorine, trifluoromethyl or methyl;  
 R<sup>a2</sup> is hydrogen, chlorine or fluorine;  
 R<sup>a3</sup> is hydrogen, CN, NO<sub>2</sub>, fluorine, chlorine, C<sub>1</sub>-C<sub>4</sub>-alkyl, C<sub>1</sub>-C<sub>4</sub>-alkoxy or a group C(W)R<sup>13a</sup> in which R<sup>13a</sup> is C<sub>1</sub>-C<sub>4</sub>-alkoxy, NH<sub>2</sub>, C<sub>1</sub>-C<sub>4</sub>-alkylamino or di-C<sub>1</sub>-C<sub>4</sub>-alkylamino;  
 R<sup>a4</sup> is hydrogen, chlorine or fluorine;  
 R<sup>a5</sup> is hydrogen, fluorine, chlorine or C<sub>1</sub>-C<sub>4</sub>-alkyl.

13. (Currently amended) The compound of the formula I according to ~~any of the preceding claims~~ claim 1 in which R<sup>4</sup> is halogen, CN, methyl or methoxy.
14. (Original) The compound of the formula I according to claim 13 in which R<sup>4</sup> is halogen.

15. (Currently amended) The compound of the formula I according to ~~any of the preceding claims~~ claim 1 in which R<sup>5</sup> is hydrogen.
16. (Currently amended) The compound of the formula I according to ~~any of the preceding claims~~ claim 1 in which A is N.
17. (Currently amended) The compound according to ~~any of the preceding claims~~ claim 1 in the form of the tautomers of the formula II



in which A, R<sup>3</sup>, R<sup>4</sup> and R<sup>5</sup> have the meanings given above for formula I,

V is a chemical bond or is oxygen, sulfur or a group N-R<sup>7</sup>;

W<sup>a</sup> is O, S or a group N-R<sup>21</sup>;

R<sup>20</sup> has one of the meanings given in formula I for R<sup>1</sup> or R<sup>2</sup>;

R<sup>21</sup> has one of the meanings given in formula I for R<sup>1</sup> or R<sup>2</sup> or is hydrogen; and

if W<sup>a</sup> is N-R<sup>21</sup>, V-R<sup>20</sup> and N-R<sup>21</sup> together with the carbon atom, to which they are attached, may form a 5-, 6- or 7-membered unsaturated heterocycle, where the latter may have 1, 2, 3 or 4 heteroatoms selected from the group consisting of O, S and N as ring members, may be partially or fully halogenated or have 1, 2, 3 or 4 of the radicals R<sup>8</sup> mentioned above.

18. (Currently amended) The use of a compound of the formula I according to ~~any of claims 1 to 17~~ claim 1 or an agriculturally acceptable salt thereof for controlling phytopathogenic fungi.
19. (Currently amended) A composition for controlling phytopathogenic fungi, which composition comprises at least one compound of the formula I according to ~~any of claims 1 to 17~~ claim 1 and/or an agriculturally acceptable salt of I and at least one liquid or solid carrier.

20. (Currently amended) A method for controlling phytopathogenic fungi, which method comprises treating the fungi or the materials, plants, the soil or seeds to be protected against fungal attack with an effective amount of a compound of the formula I according to ~~any of claims 1 to 17~~ claim 1 and/or with an agriculturally acceptable salt of I.